

**BOROUGH OF WESTWOOD  
PLANNING BOARD MINUTES  
PUBLIC MEETING AGENDA  
December 18, 2008**

**1. OPENING OF THE MEETING**

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Planning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:**

**PRESENT:** Mayor Birkner  
William Martin  
Thomas Constantine  
Councilwoman Cynthia Waneck  
Ann Costello, Vice-Chairwoman  
Robert Bicocchi  
Jaymee Hodges, Chairman  
James Schluter  
Richard Bonsignore (Alt. #1)  
Daniel Olivier (Alt. #2)

**ALSO PRESENT:**

Thomas Randall, Esq., Board Attorney  
Ed Snieckus, Burgis Associates, Board Planner  
Louis Raimondi, PEELS, Board Engineer

**ABSENT:** Otokar von Bradsky (excused absence)

Thomas Constantine and Ann Costello stated they listened to the tape of the 12/4/08 meeting and signed the Certification.

**4. MINUTES:** The Minutes of 11/20/08 were approved on motion of Chairman Hodges, with second by Thomas Constantine and carried on roll call vote. The Minutes of 12/18/08 public meeting;

(WWPB 12/18/08)

**5. CORRESPONDENCE:**

1. Letter dated 12/9/08 from Louis A. Raimondi, P.E., L.S. RE: Diamond Financial;
2. Memo dated 12/15/08 from Burgis Associates RE: Diamond Financial;
3. Memo dated 12/18/08 from Linda Koch RE: Delinquent Escrow Accounts - William Martin reported at the Zoning Board there was a meeting with David Rutherford and Armand Marini, and he also requested that the Zoning Board get similar reports on escrow deficiency. Councilwoman Waneck would follow up with same.
4. Letter dated 12/18/08 from L. Scott Berkoben, P.A., RE: GMKC Investments, withdrawing application; (See Below\*)
5. Memo dated 12/17/08 from Armand Marini, Construction Official;

**6. RESOLUTIONS:**

1. **Dr. David Goldberg Center (applicant) from Puccio - Carver Avenue** - Held due to outstanding escrow deficiency;

**7. VOUCHERS:** Vouchers totaling \$16,236.07 as amended, were approved on motion of William Martin, second by Robert Bicocchi and carried.

**8. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:**

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS  
The Board Professionals were sworn in

1. **GMKC Investments LLC, 75 Bergen Street, Block 1407, Lot 11 - Subdivision - (Ed Sniekus, Burgis Associates recused; David Spatz, Community Housing Develop to act as Substitute Planner) - (Heard 6/12/08, 7/24/08 & 8/14/08)** - The Board acknowledged receipt of applicant's request for withdrawal. Thomas Randall, Esq. advised it would be subject to satisfaction of all outstanding escrow fees. He indicated there is case law regarding same, and the Board can attach reasonable conditions. Any withdrawal should be contingent upon applicant satisfying any and all escrows. A motion to accept applicant's request for withdrawal without prejudice, subject to satisfaction of all outstanding escrow deficiencies, and that applicant be notified of same, was made by William Martin, seconded by Ann Costello and carried unanimously on roll call vote.

(WWPB 12/18/08)

**2. Diamond Financial LLC - Block 2001, Lots 38, 39, 44, 45, 46, Jones Street, Alvin Street - Subdivision** - Deemed incomplete - Ed Snieckus discussed completeness. There was a question as to whether Lot 45 was included and whether they could proceed since it was not yet conveyed. Also, they are requesting a waiver on the wetlands. The landscaping plan for street trees and tree removal must be submitted and sent to the Shade Tree Committee for review. William Martin commented they are also requesting a waiver from providing an EIS. Mr. Randall advised the Board can express its concerns when the applicant comes in for a worksession in January. Any time frame runs from the time the application is deemed complete. Also, the lot may not be conveyed yet. Mr. Snieckus commented they received the application on 11/20/08. The By-laws should be made clear on this issue. Mr. Martin commented when an applicant submits an application with a request for a waiver, it is deemed complete and the first order of business should be to request more information. Mr. Bonsignore commented they have not been in for a worksession, and the clock does not start running until then. Mr. Martin suggested having the Board Planner request more information.

A motion to deem the application incomplete and to request additional information for Block 2001, Lot 45 was made by William Martin, seconded by Mayor Birkner, and carried unanimously on roll call vote.

**9. DISCUSSIONS:**

**1. 2009 Schedule of Meetings** - Approved subject to confirmation at reorganization Meeting on motion of William Martin, second by Thomas Constantine and carried;

**2. Zoning Regulations** - Mr. Bonsignore inquired, and Councilwoman Waneck responded she is reviewing and incorporating the Board's responses.

**3. Energy Master Plan Element** - Mr. Martin discussed he would recommend such an element if and when the time arises.

**4. Pascack Valley Hospital Update** - Mayor Birkner reported on the Freeholder's meeting last evening to support the transfer of the Certificate of Need from the Pascack Valley Hospital to the **Hackensack Medical Center at Pascack Valley.**

(WWPB 12/18/08)

The Mayor gave a brief presentation and update. Last week Englewood and Valley Hospitals brought 200 people to the meeting to protest. Westwood brought its citizens, resulting in a packed house. Mayor Birkner thanked everyone for attending, but said not all of the people could come in because it was too crowded, and it would have been a fire hazard. He heard many people speak for and against the hospital. At the end of the public session, the Freeholders suspended regular business and were very much swayed by the position and of the 200,000 people in our community that are affected and need this hospital. There was a 6-0 vote with one abstention. It was a nice victory, but it is not indicative of how the State Health Planning Board will see it. A week ago he went to see how a statement of need is obtained. He will be hosting a special Mayor and Council meeting at the Community Center, and we still need petitions signed. The Mayor noted it is still a long hard road. There are 12,000 signed petitions against it. The State is reviewing it for completeness. Once deemed complete, the State Health Planning Board will meet and review it. Valley and Englewood fully support a satellite emergency unit at Pascack Valley; people without insurance go to Bergen Regional. There will be public meeting after the Mayor and Council meeting on 1/27/09. They have within 90 days to accomplish this. Then the State Health Commissioner has 120 days to render her decision. It could be as late as October for a decision.

**10. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approximately 9:30 p.m.

**Respectfully submitted**

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**MARY R. VERDUCCI, Paralegal**  
**Planning Board Secretary**